



IT IS ORDERED as set forth below:

Date: March 3, 2021

Paul Baisier

**Paul Baisier
U.S. Bankruptcy Court Judge**

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 7
)	
)	CASE NO. 18-71767-PMB
MICHAEL J. BLYDENSTEIN,)	
)	
)	
Debtor.)	
-----)	-----
)	
S. GREGORY HAYS, Chapter 7 Trustee)	
for the Estate of Michael J. Blydenstein,)	
)	
)	
Movant,)	
v.)	CONTESTED MATTER
)	
PINGORA LOAN SERVICING, LLC;)	
FULTON COUNTY TAX COMMISSIONER;)	
GORDON LOFTS CONDOMINIUM)	
ASSOCIATION, INC.,)	
)	
Respondents.)	
-----)	

**ORDER ON TRUSTEE'S MOTION FOR AUTHORITY TO (A) SELL REAL PROPERTY
OF THE ESTATE FREE AND CLEAR OF ALL LIENS, INTERESTS, AND
ENCUMBRANCES AND (B) DISBURSE CERTAIN PROCEEDS AT CLOSING**

On February 4, 2021, S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estate (the “**Bankruptcy Estate**”) of Michael J. Blydenstein (the “**Debtor**”), filed *Trustee’s Second Motion for Authority to (A) Sell Real Property of the Bankruptcy Estate Free and Clear of All Liens, Interests, and Encumbrances and (B) Disburse Certain Proceeds at Closing* [Doc. No. 72] (the “**Second Sale Motion**”), seeking, among other things, an order from the Court, authorizing the sale (the “**Sale**”) of that certain improved real property with a common address of 215 Mitchell Street, #9, Atlanta, Fulton County, Georgia 30303 (the “**Property**”) to ELS Property Solutions, LLC (the “**Purchaser**”) “as-is, where-is, with all faults” for an all-cash sale price of \$270,000.00 (the “**Purchase Price**”) in accordance with the terms of a *Trustee’s Purchase and Sale Agreement* (the “**Sale Agreement**”) attached to the Second Sale Motion as Exhibit “A.”

Also on February 4, 2021, Trustee filed a *Notice of Pleading, Deadline to Object, and for Hearing* [Doc. No. 74] (the “**Notice**”), regarding the Second Sale Motion, in accordance with General Order No. 24-2018. Counsel for Trustee certifies that he served the Notice on all requisite parties in interest on February 4, 2021. [Doc. No. 75].

Notice of the opportunity to object and for hearing was provided pursuant to the procedures in General Order No. 24-2018 and no objection to the Second Sale Motion was filed prior to the objection deadline. The Court has considered the Second Sale Motion and all other matters of record, including the lack of objection thereto. Based on the forgoing, no further notice or hearing is required and the Court finds that good cause exists to grant the relief requested in the Second Sale Motion. It is hereby

ORDERED that the Second Sale Motion is **GRANTED**. It is further

ORDERED that Trustee is authorized and directed to take any and all actions necessary or

appropriate to (i) consummate the Sale of the Property to Purchaser, (ii) execute, perform, consummate, implement, and close fully the Sale together with all additional instruments and documents that may be reasonably necessary; and (iii) execute and perform all of the obligations of Trustee under the Sale Agreement. It is further

ORDERED that this Order shall be binding upon all creditors (whether known or unknown) of Debtor, the Trustee, the Bankruptcy Estate, and their respective successors, assigns, affiliates, and subsidiaries. It is further

ORDERED that upon consummation of the closing of the Sale, the Property shall be transferred and assigned to Purchaser free and clear of all liens, claims, interests, and encumbrances with all valid and enforceable liens, claims, or interests attaching to the sale proceeds with the same extent, validity, and priority that they held in the Property. It is further

ORDERED that the Sale of the Property to the Purchaser is “as is,” “where is,” and without representation or warranty, express or implied, from Trustee. It is further

ORDERED that, under Fed. R. Bankr. P. 6004(h), this Order shall be effective and enforceable immediately upon entry, and its provisions shall be self-executing. In the absence of any person or entity obtaining a stay pending appeal, Trustee and Purchaser are free to close the Sale of the Property at any time, at which time the gross sales proceeds shall be paid to Trustee pursuant to this Order, and those disbursements requested by Trustee in his Sale Motion are authorized to be made. It is further

ORDERED that this Court retains exclusive jurisdiction over any action relating to, based upon, or arising from disputes or controversies relating to or concerning the Sale, the Sale Agreement, or this Order. It is further

ORDERED that this Court’s previous Order pertaining to sale of the Property entered

October 20, 2020 [Doc. No. 70] is vacated in its entirety.

[END OF DOCUMENT]

Order prepared and presented by:

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Identification of parties to be served:

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